

## EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

## MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 4023. A bill to provide for the repeal of the Department of Defense policy concerning homosexuality in the Armed Forces known as "Don't Ask, Don't Tell".

## EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-8453. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Bulk Solid Hazardous Materials: Harmonization with the International Maritime Solid Bulk Cargoes (IMSB) Code" ((RIN1625-AB47) (Docket No. USCG-2009-0091)) received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8454. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area; Greenville Bridge Demolition, Lower Mississippi River Mile 531.3, AR, MS" ((RIN1625-AA11) (Docket No. USCG-2010-0693)) received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8455. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations for Marine Events; Wrightsville Channel, Wrightsville Beach, NC" ((RIN1625-AA08) (Docket No. USCG-2010-0813)) received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8456. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Arkansas Waterway, Pine Bluff, AR" ((RIN1625-AA09) (Docket No. USCG-2010-0441)) received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8457. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Vessel Traffic Service Lower Mississippi River" ((RIN1625-AA58) (Docket No. USCG-1998-4399)) received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8458. A communication from the Attorney Advisor, U.S. Coast Guard, Department

of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone: Passenger Vessels, Sector Southeastern New England Captain of the Port Zone" ((RIN1625-AA87) (Docket No. USCG-2010-0864)) received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8459. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Great Mississippi Balloon Race and Fireworks Safety Zone; Lower Mississippi River, Mile Marker 365.5 to Mile Marker 363, Natchez, MS" ((RIN1625-AA00) (Docket No. USCG-2010-0873)) received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8460. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations for Marine Events; Patuxent River, Solomons, MD" ((RIN1625-AA08) (Docket No. USCG-2010-0383)) received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8461. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Monongahela River, Pittsburgh, PA" ((RIN1625-AA08) (Docket No. USCG-2010-0534)) received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8462. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; CLS Fall Championship Hydroplane Race, Lake Sammamish, WA" ((RIN1625-AA00) (Docket No. USCG-2010-0842)) received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8463. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Fireworks for USS GRAVELY Commissioning Ceremony, Cape Fear River, Wilmington, NC" ((RIN1625-AA00) (Docket No. USCG-2010-0917)) received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8464. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone: Epic Roasthouse Private Party Firework Display, San Francisco, CA" ((RIN1625-AA00) (Docket No. USCG-2010-0901)) received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8465. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Temporary Change of Date for Recurring Fireworks Display within the Fifth Coast Guard District, Wrightsville Beach, NC" ((RIN1625-AA00) (Docket No. USCG-2010-0927)) received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8466. A communication from the Secretary of the Federal Trade Commission,

transmitting, pursuant to law, the Commission's sixth annual report on ethanol market concentration; to the Committee on Commerce, Science, and Transportation.

EC-8467. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Oregon; Correction of Federal Authorization of the State's Hazardous Waste Management Program" (FRL No. 9236-8) received in the Office of the President of the Senate on December 9, 2010; to the Committee on Environment and Public Works.

EC-8468. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Delaware; Limiting Emissions of Volatile Organic Compounds from Portable Fuel Containers" (FRL No. 9237-9) received in the Office of the President of the Senate on December 9, 2010; to the Committee on Environment and Public Works.

EC-8469. A communication from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the annual report of the Fish and Wildlife Service on reasonably identifiable expenditures for the conservation of endangered and threatened species for fiscal year 2009; to the Committee on Environment and Public Works.

EC-8470. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to revision of U.S. Munitions List Category VII; to the Committee on Foreign Relations.

EC-8471. A communication from the Chairman of the Federal Trade Commission, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1, 2010 through September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8472. A communication from the Officer for Civil Rights and Civil Liberties, Department of Homeland Security, transmitting, pursuant to law, a report entitled "Report to Congress on the Department of Homeland Security Office for Civil Rights and Civil Liberties Fiscal Year 2009 and Fourth Quarter 2009"; to the Committee on Homeland Security and Governmental Affairs.

EC-8473. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Technical Amendments" (FAC 2005-47) received in the Office of the President of the Senate on December 10, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8474. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Limitation on Pass-Through Charges" (RIN9000-AL27) received in the Office of the President of the Senate on December 10, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8475. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Uniform Suspension and Debarment Requirement" (RIN9000-AL75) received in the Office of the President of the Senate on December 10, 2010; to the Committee on

Homeland Security and Governmental Affairs.

EC-8476. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Small Disadvantaged Business Self-Certification" (RIN9000-AL77) received in the Office of the President of the Senate on December 10, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8477. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Preventing Abuse of Interagency Contracts" (RIN9000-AL69) received in the Office of the President of the Senate on December 10, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8478. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; HUBZone Program Revisions" (RIN9000-AL18) received in the Office of the President of the Senate on December 10, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8479. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-47; Small Entity Compliance Guide" (FAC 2005-47) received in the Office of the President of the Senate on December 10, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8480. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-47; Introduction" (FAC 2005-47) received in the Office of the President of the Senate on December 10, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8481. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Notification of Employee Rights under the National Labor Relations Act" (RIN9000-AL76) received in the Office of the President of the Senate on December 10, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8482. A communication from the Secretary of Education, transmitting, pursuant to law, the Semiannual Report from the Office of the Inspector General for the period from April 1, 2010 through September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8483. A communication from the Administrator of the Small Business Administration, transmitting, pursuant to law, the Semiannual Report from the Office of the Inspector General for the period from April 1, 2010 through September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8484. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1, 2010 through September 30, 2010 and the Semi-Annual Report of the Treasury Inspector General for Tax Administration; to the

Committee on Homeland Security and Governmental Affairs.

EC-8485. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Interim Final Rule for Reporting Pre-Enactment Swap Transactions" ((17 CFR Part 44)(RIN3038-AD24)) received in the Office of the President of the Senate on December 10, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8486. A communication from the Chief Counsel of the Fiscal Service, Bureau of Public Debt, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Regulations Governing Book-Entry Treasury Bonds, Notes and Bills Held in Legacy Treasury Direct" (31 CFR Part 363) received in the Office of the President of the Senate on December 10, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-8487. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Implementation of Section 203 of the Satellite Television Extension and Localism Act of 2010 (STELA)" (MB Docket No. 08-148 and 05-49) received in the Office of the President of the Senate on December 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8488. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Tier I Issue—Industry Director Directive No. 2 Proper Treatment of Upfront Fees, Milestone Payments, Royalties and Deferred Income upon entering into a Collaboration Agreement in the Biotech and Pharmaceutical Industries" (Uniform List No. 263.13-02) received in the Office of the President of the Senate on December 10, 2010; to the Committee on Finance.

EC-8489. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice 2010-93) received in the Office of the President of the Senate on December 10, 2010; to the Committee on Finance.

EC-8490. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Source of Income from Qualified Fails Charges" (RIN1545-BJ85) received in the Office of the President of the Senate on December 10, 2010; to the Committee on Finance.

EC-8491. A communication from the Director of the Policy Issuances Division, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Uniform Compliance Date for Food Labeling Regulations" (RIN0583-AD33) received in the Office of the President of the Senate on December 10, 2010; to the Committee on Health, Education, Labor, and Pensions.

#### ADDITIONAL COSPONSORS

S. 1709

At the request of Ms. STABENOW, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1709, a bill to amend the National Agricultural Research, Extension, and

Teaching Policy Act of 1977 to establish a grant program to promote efforts to develop, implement, and sustain veterinary services, and for other purposes.

S. 3269

At the request of Mrs. GILLIBRAND, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 3269, a bill to provide driver safety grants to States with graduated driver licensing laws that meet certain minimum requirements.

S. 3819

At the request of Mrs. LINCOLN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 3819, a bill to amend the Internal Revenue Code of 1986 to reduce the mileage threshold for the deduction for National Guard and Reservists' overnight travel expenses.

S. 4023

At the request of Mr. LIEBERMAN, the names of the Senator from North Carolina (Mrs. HAGAN), the Senator from New York (Mr. SCHUMER), the Senator from Maryland (Ms. MIKULSKI), the Senator from Washington (Ms. CANTWELL), the Senator from Pennsylvania (Mr. CASEY), the Senator from Vermont (Mr. SANDERS), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Michigan (Ms. STABENOW), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Pennsylvania (Mr. SPECTER) and the Senator from Wisconsin (Mr. KOHL) were added as cosponsors of S. 4023, a bill to provide for the repeal of the Department of Defense policy concerning homosexuality in the Armed Forces known as "Don't Ask, Don't Tell".

At the request of Mr. LEVIN, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 4023, *supra*.

S. RES. 680

At the request of Mr. KERRY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. Res. 680, a resolution supporting international tiger conservation efforts and the upcoming Global Tiger Summit in St. Petersburg, Russia.

AMENDMENT NO. 4761

At the request of Ms. LANDRIEU, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Alabama (Mr. SHELBY) were added as cosponsors of amendment No. 4761 intended to be proposed to H.R. 4853, a bill to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

AMENDMENT NO. 4763

At the request of Mr. BROWN of Ohio, the name of the Senator from Mississippi (Mr. WICKER) was added as a